IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 13th day of October, 2006
Crl. Bail Application No. 960 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Gulab Singh S/o Vijai Pal Singh
R/o Dab Ki Kala,
P.S. Luxor, District Haridwar.
Present address Ishwar Vihar,
P.S. Raipur, Dehradun. **……** **Applicant**

Versus

State of Uttaranchal **.....** **Opposite Party**

Arising out of Crime No. 22 of 2006
Under Sections: 302 of I.P.C.
Police Station: Raipur
District: Dehradun.

Hon'ble Prafulla C. Pant, J.

Heard Mr. H.C. Pathak, learned counsel for the applicant and Mr. Amit Bhatt, learned A.G.A. for the State.

Applicant Gulab Singh, who is in jail in connection with crime No. 22 of 2006, relating to offence punishable under Section 302 of I.P.C., P.S. Raipur, District Dehradun, has sought his release on bail.

It is a case of circumstantial evidence. There is no eyewitness of the crime. It is alleged that the applicant, who is a cook had taken the deceased as helper with him to the house of one Bhagwan Singh. It is also alleged that they have returned from the house of Bhagwan Singh together. However, on the next day, it is said that Pappu (deceased) was found dead. It is alleged in the F.I.R. that applicant had enmity with the deceased regarding which it is argued that the alleged enmity appears to be doubtful, as the cook would not have taken his helper with him, in that circumstances.

Without expressing any opinion as to the final merits of the case, in the above circumstances, this Court is of the view that the applicant deserves bail.

Let the applicant Gulab Singh be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate, Dehradun.

Dt. 13.10.2006 **(Prafulla C. Pant, J.)**

H.Negi